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PTO/SB/21 (09-04)  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number	10/772,767
Filing Date	February 4, 2004
First Named Inventor	Michael J. DeLuca
Art Unit	2612
Examiner Name	Wendy Rae Garber
Attorney Docket Number	2100874-991140

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return-Receipt Postcard; Form PTO/SB/08a, Form PTO/SB/08b, Copies of 10 references
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#### Remarks

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Customer No. 29585

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DLA Piper Rudnick Gray Cary US LLP, 153 Townsend Street, Suite 800, San Francisco, CA 94107-1957		
Signature			
Printed name	Andrew V. Smith, Telephone: 415-836-2522, Facsimile: 415-836-2501		
Date	November 7, 2005	Reg. No.	43,132

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gerry Ubau	Date	11-14-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of

2

**Complete if Known**

Application Number	10/772,767
Filing Date	February 4, 2004
First Named Inventor	Michael J. DeLuca
Art Unit	2612
Examiner Name	Wendy Rae Garber
Attorney Docket Number	2100874-991140

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form SB/08a, SB/08b for consideration by the Examiner in connection with the examination of the above-identified patent application.

**This Information Disclosure Statement:**

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☒ is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; **OR**
- (c) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below **OR**
- (d) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below.  
This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (e) ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (f) ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached PTO/SB/08a and PTO/SB/08b be made of record in this application.

Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				Application Number	10/772,767
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	February 4, 2004
				First Named Inventor	Michael J. DeLuca
				Art Unit	2612
				Examiner Name	Wendy Rae Garber
				Attorney Docket Number	2100874-991140
(Use as many sheets as necessary)					
Sheet	2	of	2		

Each item of information listed in the attached FORM PTO/SB/08a, and FORM PTO/SB/08b may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR 1.56, 1.97 and 1.98. The Examiner is requested to make these items of official record in this application.

This Information Disclosure Statement under 37 CFR 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

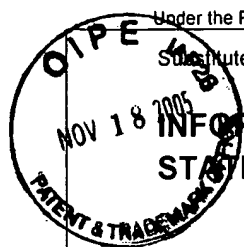
If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this submission as a conditional petition for acceptance of the information disclosure statement.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. <u>07-1896</u>	
Date: <u>November 7, 2005</u>	Respectfully submitted,  DLA Piper Rudnick Gray Cary US LLP  By: <u>Andrew V. Smith</u> Reg. No. 43,132 Attorneys for Applicant(s) 153 Townsend Street, Suite 800 San Francisco, CA 94107-1957 Tel. 415-836-2522 Fax. 415-836-2501

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<u>11-14-05</u> Date	<u>Gerry Ubau</u> Gerry Ubau

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Sheet	1	of	2	Application Number	10/772,767
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				First Named Inventor	Michael J. DeLuca
				Art Unit	2612
				Examiner Name	Wendy Rae Garber
				Attorney Docket Number	2100874-991140

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5,751,836	05-12-1998	Richard P. Wildes, et al.	
		US-2002/093577 A1	07-18-2002	Kitawaki Reico, et al.	
		US-2002/131770 A1	09-19-2002	Meier Roland, et al.	
		US-2002/136450 A1	09-26-2002	Yan Jie, et al.	
		US-2003/142285 A1	07-31-2003	Enomoto Jun	
		US-6,035,072	03-07-2000	Robert Lee Read	
		US-6,134,339	10-17-2000	Juebo Luo	
		US-6,407,777 B1	06-18-2004	Michael Joseph DeLuca	
		US-6,792,161 B1	09-14-2004	Imaizumi Shoji, et al.	
		US-2004/0223063 A1	11-11-2004	Michael J. DeLuca, et al.	
		US-2005/0031224 A1	02-10-2005	Yury Prilutsky, et al.	
		US-2005/0140801 A1	06-30-2005	Yury Prilutsky, et al.	
		US-2005/0041121 A1	02-24-2005	Eran Steinberg, et al.	
		US-			
		US-			
		US-			
		US-			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Number Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		WO 02/45003 A	06-06-2002	IMAX Corporation		
		EP 1 296 510 A	03-23-2003	Eastman Kodak Co.		
		WO 03/071484 A	08-28-2003	Pixology Limited		
		EP 1 429 290 A	06-16-2004	Fuji Photo Film Co. Ltd.		
		EP 1 478 169 A	11-17-2004	Nikon Corporation		
		WO 2005/041558 A	05-06-2005	FotoNation Vision Limited		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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(Use as many sheets as necessary)				Attorney Docket Number	2100874-991140
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		International Search Report and Written Opinion of the International Searching Authority for PCT Application No. PCT/EP2004/008706	
		International Search Report and Written Opinion of the International Searching Authority for PCT Application No. PCT/EP2005/005033	
		International Search Report and Written Opinion of the International Searching Authority for PCT Application No. PCT/EP2005/005907	
		Patent Abstracts of Japan, publication no. 2000050062, application no. 10-217124, published February 18, 2000.	
		U.S. Patent Application No. 10/170,511, filed June 12, 2002, inventor Michael J. DeLuca	
		U.S. Patent Application No. 11/217,788, filed August 30, 2005, inventors Eran Steinberg, et al.	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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